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PATENT

Docket No. 2854 (203-3081PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s) : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY
SERIAL NO. : 10/521,901
FILED : October 5, 2005
EXAMINER : N/Y/K
ART UNIT : 3739

Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Dear Sir:

Pursuant to 37 C.F.R. §1.48(a), the inventors of U.S. Application Serial No. 10/521,901 hereby submit their PETITION TO CORRECT INVENTORSHIP along with the required fee of \$130.00 (37 C.F.R. 1.17(i)) to the Commissioner for correcting the inventorship in the above-identified allowed application.

In view of the above request along with the accompanying Declarations from Thomas L. Buchman, II (Exhibit A), Ronald J. Podhajsky (Exhibit B), and Arlan J. Reschke (Exhibit C), the correct inventors for the above U.S. Application Serial No. 10/521,901 should read:

BUCHMAN, Thomas L. II, Olathe, Kansas;
PODHAJSKY, Ronald J., Boulder, CO; and
RESCHKE, Arlan J., Longmont, CO

Applicants have also enclosed herewith, a newly signed Supplemental Declaration executed by the above-named inventors which is attached as Exhibit D.

In addition and pursuant to 37 C.F.R. §1.48(a), the Assignee, namely, SHERWOOD SERVICES AG of Schaffhausen, Switzerland, hereby submits Statement of Assignee in Support of Petition to Correct Inventorship, and hereby submits the Declaration under 37 C.F.R. 3.73(b) from a duly authorized officer of Sherwood Services AG who on behalf of Sherwood Services AG agreed to the above change in inventorship with respect to the above Application Serial No. 10/521,901.

Applicants hereby request that Deposit Account No. 21-0550 be charged the amount of \$130.00 to cover the total costs for the petition submitted herewith. However, if any additional fee or credit is due for the same, Applicants hereby request that Deposit Account No. 21-0550 be debited or credited with the proper amount.

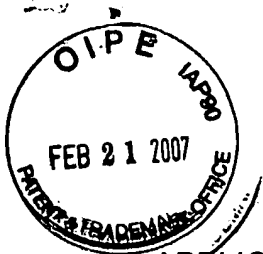
In view of the foregoing, the granting of this petition is earnestly solicited.

Respectfully submitted,



Thomas A. Beaton
Attorney for Applicants
Registration No. 46,543

United States Surgical
A division of Tyco Healthcare Group LP
195 McDermott Road
North Haven, CT 06473
303-530-6138



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s) : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY
SERIAL NO. : 10/521,901
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EXAMINER : N/Y/K
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**DECLARATION OF RONALD J. PODHAJSKY IN SUPPORT OF
PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.48(a), I, Ronald J. Podhajsky, hereby declare:

1. I am one of the currently unnamed inventors of the above-referenced US Application Serial No. 10/521,901 and, in accordance with the PETITION TO CORRECT INVENTORSHIP filed concurrently herewith, I should be added as an inventor to the above-identified patent.
2. I declare that the incorrect inventorship information with respect to the above-identified patent occurred without any deceptive intent.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this

application or document or any registration resulting therefrom.

Date: 2-14-07

Ronald J. Podhajsky
Ronald J. Podhajsky



PATENT

Docket No. 2854 (203-3081PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s) : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING CAPABILITY
SERIAL NO. : 10/521,901
FILED : October 5, 2005
EXAMINER : N/Y/K
ART UNIT : 3739

DECLARATION OF THOMAS L. BUCHMAN, II, IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450

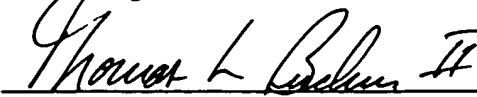
Dear Sir:

Pursuant to 37 C.F.R. §1.48(a), I, Thomas L. Buchman, II, hereby declare:

1. I am one of the named inventors of the above-referenced US Application Serial No. 10/521,901.
2. I agree with the change of inventorship information with respect to the above-identified patent and the mistake of inventorship occurred without any deceptive intent.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or document or any registration resulting therefrom.

Date: 2-8-07


Thomas L. Buchman, II

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT(s) : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY
SERIAL NO. : 10/521,901
FILED : October 5, 2005
EXAMINER : N/Y/K
ART UNIT : 3739

**DECLARATION OF ARLAN J. RESCHKE IN SUPPORT OF
PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

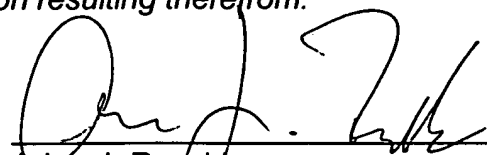
Pursuant to 37 C.F.R. §1.48(a), I, Arlan J. Reschke, hereby declare:

1. I am one of the currently unnamed inventors of the above-referenced US Application Serial No. 10/521,901 and, in accordance with the PETITION TO CORRECT INVENTORSHIP filed concurrently herewith, I should be added as an inventor to the above-identified patent.
2. I declare that the incorrect inventorship information with respect to the above-identified patent occurred without any deceptive intent.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this

application or document or any registration resulting therefrom.

Date: 2-12-07


Arlan J. Reschke



PATENT

Docket No.: 2854 (203-3081 PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY
SERIAL NO. : 10/521,901
FILED : OCTOBER 5, 2005

**STATEMENT OF ASSIGNEE, SHERWOOD SERVICES AG,
IN SUPPORT OF
PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Mail Stop
Commissioner for Patents
Alexandria, VA 22313-1450

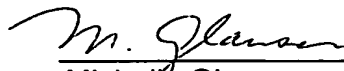
Dear Sir:

Pursuant to 37 C.F.R. §1.48(a), I, Michelle Glauser, hereby declare:

1. I, Michelle Glauser, am the Managing Director for Sherwood Services AG, the assignee of the above-referenced US Application No. 10/521,901.
2. In accordance with the provisions of 37 C.F.R. §1.48(a), the Assignee of the entire right, title and interest to the above-identified patent namely, SHERWOOD SERVICES AG, agrees to the change in inventorship in the above-identified patent.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or document or any registration resulting therefrom.

Date: February, 2007


Name: Michelle Glauser
Title: Managing Director



PATENT

Docket No.: 2854/203-3081 PCTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BUCHMAN ET AL.
TITLE : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY
SERIAL NO. : 10/521,901
FILED : October 5, 2005

Certificate Under 37 C.F.R. § 3.73(b)

Sherwood Services AG, acting herein by Michelle Glauser who is the Managing Director of Sherwood Services AG, certifies that Sherwood Services AG is the Assignee of the entire right, title and interest in the patent identified above by virtue of:

A. ☒ An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 017087, Frame 0061.

B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. _____ to
_____ by
document recorded at Reel _____, Frame _____.

2. _____ to
_____ by
document recorded at Reel _____, Frame _____.

☐ Additional documents in the chain of the title are listed on a supplemental sheet.

The undersigned is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February , 2007

By: 

Name: Michelle Glauser

Title: Managing Director



PATENT

Atty. Docket No: 2854 (203-3081PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomas L. Buchman, II, et al.
SERIAL NO. : 10/521,901 EXAMINER: Unknown
FILED : October 5, 2005 GROUP ART UNIT: 3739
FOR : ELECTROSURGICAL PENCIL WITH DRAG SENSING
CAPABILITY

CERTIFICATE OF MAILING

Date of Deposit: February 15, 2007

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Petition to Correct Inventorship, to include:
 - Exhibit A, Declaration of Thomas L. Buchman, II
 - Exhibit B, Declaration of Ronald J. Podhajsky
 - Exhibit C, Declaration of Arlan J. Reschke
 - Exhibit D, Supplemental Combined Declaration and Power of Attorney
- Statement of Assignee in Support of Petition to Correct Inventorship Certificate Under 37 C.F.R. Section 3.73(b)
- ☒ Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Mary Jo Milacek

United States Surgical, a division of
TYCO HEALTHCARE GROUP LP
195 McDermott Road
North Haven, CT 06473
(303) 530-6138